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#3 MP \$  
Patent  
Atty. Dkt. WHIT/0002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Dr. Carl E. Whitcomb  
Serial No.: 10/075,096  
Filed: October 29, 2001  
For: Root Growth Barrier and Method

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Group Art Unit: 3643

Examiner: Unassigned

Assistant Commissioner of Patents  
Attn: Box Missing Parts  
Washington, D.C. 20231

Dear Sir:

CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231, Attn: Box Missing Parts, on the date below:	
5/14/02 Date	<i>Delia Laban</i> Signature

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Applicant files this Response to a Notice to File Missing Parts (Form PTO-1533) mailed April 1, 2002, having a two-month response period set to expire on June 1, 2002. The notice (copy enclosed) indicates that the application was filed without the Oath or Declaration.

Enclosed for filing in the above-referenced application is a Combined Declaration and Power of Attorney in response to the missing parts request. Also, enclosed are an Assignment with Recordation Coversheet, a copy of the Information Disclosure Statement dated December 12, 2001, and a copy of the return receipt postcard for the Information Disclosure Statement.

**APPLICANT IS CLAIMING SMALL ENTITY STATUS.**

Commissioner has permission to charge deposit account number 50-0714/WHIT/0002 for fees/charges for recording the Assignment and any other fees or surcharges associated with filing these documents.



Respectfully submitted,

A handwritten signature in black ink that reads "Jeffrey L. Streets". The signature is written in a cursive, flowing style.

Jeffrey L. Streets  
Registration No. 37,453  
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Attorney for Applicant

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APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/075,096	10/29/2001	Carl E. Whitcomb	WHIT/0002

CONFIRMATION NO. 7255

## FORMALITIES LETTER

  
\*OC000000007755897\*
STREETS & STEELE  
Suite 355  
13831 Northwest Freeway  
Houston, TX 77040

Date Mailed: 04/01/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- o The statutory basic filing fee is missing.  
*Applicant must submit \$ 370 to complete the basic filing fee for a small entity.*
- o Total additional claim fee(s) for this application is \$573.
  - o \$405 for 45 total claims over 20.
  - o \$168 for 4 independent claims over 3.
- o The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- o To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- o The balance due by applicant is \$ 1008.

*A copy of this notice **MUST** be returned with the reply.*
  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

05/28/2002 CCHRU1 00000027 500714 10075096

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02 FC:203	405.00	CH
03 FC:202	168.00	CH
04 FC:205	65.00	CH



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DOCKET NO. WHIT/0002

SERIAL NO. \_\_\_\_\_

FILED: October 29, 2001

APPLICANT/INVENTOR: Whitcomb

The Patent & Trademark Office acknowledges and has stamped  
hereon the date of receipt of the items checked below which were  
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